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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0143 PJH
)	
Plaintiff,)	[PROPOSED] ORDER EXCLUDING
)	TIME FROM SPEEDY TRIAL ACT
v.)	COMPUTATION
)	
FRANCISCO MORA ALVAREZ,)	
)	
Defendant.)	

The parties appeared before the Court on April 9, 2008 at 1:30 p.m. Defendant Francisco Mora Alvarez appeared in custody with attorney Haywood Gilliam. The United States was represented by Assistant U.S. Attorney Nicole M. Kim. The parties requested that this matter track the calendar previously set for the related criminal case, United States v. Guillermo Zaragoza et al. CR 08-0083 PJH, and requested a continuance of this case until May 21, 2008 at 1:30 p.m. – the next status hearing date in the related case. The Government represented that discovery materials have already been provided to defendant’s counsel and additional discovery

1 is in the process of being produced. Accordingly, the parties agreed that the entire period from
2 the inception of this case through and including May 21, 2008 should be excluded from the
3 otherwise applicable Speedy Trial Act computation because the factual complexity of the related
4 criminal case renders it unreasonable to expect adequate and effective preparation for pretrial
5 proceedings and for the trial in the current matter within the otherwise applicable time limits set
6 forth in the Speedy Trial Act.

7 Based upon the above-described representations and the parties's agreement in open
8 Court, the Court FINDS THAT the ends of justice served by granting a continuance from the
9 inception of this case through and including May 21, 2008 outweigh the best interest of the
10 public and the defendant in a speedy trial, and that the related criminal case is so factually
11 complex, due to the number of defendants and the nature of the prosecution, that it is
12 unreasonable to expect effective and adequate preparation for pretrial proceedings and for the
13 trial in the current matter within the otherwise applicable time limits set forth in the Speedy Trial
14 Act, within the meaning of 18 U.S.C. § 3161(h)(8)(A) and (B)(ii) and (iv).

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16 Accordingly, the Court ORDERS THAT:

17 1. This case is continued to May 21, 2008 at 1:30 p.m. for further status and for
18 possible setting of motions and trial dates.

19 2. The period from the inception of this case through and including May 21, 2008 is
20 excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. §
21 3161(h)(8)(A) and (B)(ii) and (iv).

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23
24 Dated: April __, 2008

HON. PHYLLIS J. HAMILTON
United States District Judge